

FILE COPY

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF  
DISCIPLINARY PROCEEDINGS AGAINST

JOSEPH M. SIERRA, M.D.

Respondent

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ORDER AMENDING THE FINAL DECISION AND ORDER

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The Medical Examining Board issued its Final Decision and Order on October 24, 1991. By the terms of the board's Order, Dr. Sierra was assessed costs, and was to have paid the assessed costs within 60 days following the date of the board's Order. The hearing examiner's Affidavit of Costs was received on October 29, 1991. The Affidavit of Costs for the Division of Enforcement, however, though dated November 1, 1991, was not received in the board office until December 17, 1991. Accordingly,

NOW, THEREFORE, IT IS ORDERED that the final paragraph of the Final Decision and Order in this matter dated October 24, 1991, is hereby modified to read as follows:

**IT IS FURTHER ORDERED that Dr. Sierra pay the costs incurred by the Department and board in the prosecution of this action, and if he fails to pay the costs on or before February 18, 1992, his license will be summarily suspended, under sec. 440.22(3), Wis. Stats.**

Dated this 17<sup>th</sup> day of December, 1991

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

by

Michael P. Mehr, M.D.  
Michael P. Mehr, M.D.

Secretary

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STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	AFFIDAVIT OF COSTS OF
	:	OFFICE OF BOARD LEGAL SERVICES
JOSEPH M. SIERRA, M.D.,	:	Case No. LS-9104102-MED
RESPONDENT.	:	

John N. Schweitzer affirms the following before a notary public for use in this action, subject to the penalties for perjury in sec. 946.31, Wis. Stats.:

1. He is an attorney licensed to practice law in the State of Wisconsin, and is employed by the Wisconsin Department of Regulation and Licensing, Office of Board Legal Services.
2. In the course of his employment, he was assigned as the administrative law judge in the above-captioned matter.
3. Set out below are the actual costs of the proceeding for the Office of Board Legal Services in this matter:

a. Administrative Law Judge Expense - John N. Schweitzer

6-18-91	Conduct hearing	1/2 hour
8-20-91	Prepare decision	1 1/2 hours
8-21-91	Prepare decision	2 hours
8-27-91	Prepare decision	1/2 hour
9-3-91	Prepare decision	5 1/4 hours
9-4-91	Prepare decision	4 1/2 hours
9-9-91	Prepare decision	1 hour
9-10-91	Prepare decision	2 1/4 hours
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		17 1/2 hours

Total administrative law judge expense:

17 1/2 hours @ \$23/hour (salary + 30% benefits) = \$402.50

b. Reporter Expense - Magne-Script, 112 Lathrop Street, Madison, WI 53705


Attending 6-18-91 hearing	\$50.00
Transcribing 6-18-91 hearing (20 pages)	\$66.00

Total reporter expense . . . . . = \$116.00

Total assessable costs for Office of Board Legal Services = \$518.50

  
\_\_\_\_\_  
John N. Schweitzer  
Administrative Law Judge

Sworn to and signed before me  
this 29 day of October, 1991.

  
\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission 11-6-94

STATE OF WISCONSIN  
BEFORE THE MEDICAL EXAMINING BOARD

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IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	AFFIDAVIT OF COSTS
JOSEPH M. SIERRA, M.D.,	:	
RESPONDENT.	:	

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STATE OF WISCONSIN    )  
                          ) ss.  
COUNTY OF DANE        )

Steven M. Gloe, being duly sworn, deposes and states as follows:

1. That he is an attorney licensed in the state of Wisconsin and is employed by the Wisconsin Department of Regulation and Licensing, Division of Enforcement:

2. That in the course of those duties he was assigned as a prosecutor in the above captioned matter; and

3. That set out below are the costs of the proceeding accrued to the Division of Enforcement in this matter, based upon Division of Enforcement records compiled in the regular course of agency business in the above-captioned matter.

PROSECUTING ATTORNEY EXPENSE

<u>Date</u>	<u>Activity</u>	<u>Time Spent</u>
2/6/91	Review file	30 min.
2/15/91	Prepare stipulation	1 hour
3/18/91	Draft complaint; letter	30 min.
4/10/91	Issue complaint; Notice of Hearing; draft discovery	1 hour
6/7/91	Revise stipulation; draft letter	30 min.
6/17/91	Hearing preparation	1 hour
6/18/91	Hearing preparation; attend hearing	1½ hours
7/12/91	Review correspondence	15 min.
7/15/91	Draft letter	15 min.

9/4/91

Draft letter

15 min.

TOTAL HOURS

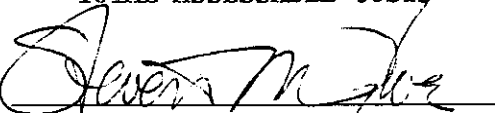
6 hours 45 min.

Total attorney expense for  
6 hours and 45 minutes at \$35.00 per hour  
(based upon salary, benefits and estimated  
agency overhead) equals:

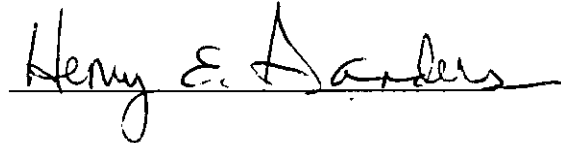
\$ 236.25

TOTAL ASSESSABLE COSTS

\$ 236.25

  
Steven M. Gloe

Subscribed and sworn to before me this 1st day of November, 1991.



Notary Public

My commission

PERMANENT